



United States
Department of
Agriculture

Food and
Consumer
Service

Mountain Plains
Region

1244 Speer Blvd.
Denver, CO
80204-3581

OCT 31 1997

Reply to
Attn. of: SP 98-01
CACFP-535
SFSP-323

Subject: Disaster Relief Payments Excluded From Consideration
As Income in Free and Reduced Price Eligibility

To: STATE AGENCY DIRECTORS - Colorado ED, Colorado DPHE,
(Child Nutrition Programs) Iowa, Kansas, Missouri ED,
Missouri DH, Montana OPI,
Montana DPHHS, Nebraska ED,
North Dakota, South Dakota,
Utah, Wyoming ED and
Wyoming DHSS

Payments received under the Federal Disaster Relief Act of 1974 ("The Robert T. Stafford Disaster Relief and Emergency Assistance Act"), as amended, by any members of households applying for free and reduced price meal benefits, or for free milk, must be excluded from consideration as income due to legislative prohibition. The disaster relief payments covered by this legislative prohibition include Federal major disaster and emergency assistance, and "comparable disaster assistance provided by states, local governments, and disaster assistance organizations".

Not all disaster relief payments issued by the Federal Emergency Management Administration (FEMA) or other agencies are excluded under all circumstances, but only those excluded as specified by statute. The payments that are to be excluded under the above Act are ones issued to assist persons who are victims of a "major disaster" or an "emergency" as defined by the Act. The President of the United States, as part of disaster relief procedures in specific cases, will make a determination that there has been a "major disaster" or an "emergency", as per the Act, and a Presidential proclamation to that effect will be issued.

These disaster relief payments are classed with the payments that are excluded income which are listed in the response to question 2, page 35, of the Eligibility Guidance for School Meals Manual, FCS Program Aid FNS-274, August 1991 edition.

STATE AGENCY DIRECTORS

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Please contact our office if you have any questions.

Ann C. De Groat
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Regional Director
Child Nutrition Programs